

Exhibit A

From: Warren Bruce Cole
To: "Lavitt, Robert"
Cc: John Wessel (jwessel@gecusvi.com); "Jon Adams"; Frank Bigelis
Subject: RE: Alpha v. GEC
Date: Tuesday, October 02, 2018 5:50:00 PM
Attachments: 060.17 - Exhibit Q.pdf
image001.png
image002.png
image003.png
image004.png
image006.png
image007.png

Mr. Lavitt:

GEC is available the week of October 15th. As per our conversation of this morning, but with the caveats mentioned earlier regarding my schedule. I will be speaking to Frank Bigelis tomorrow and perhaps we can arrange the schedule so that I can work both cases that week:

1. My client is preparing a second flash drive with the files provided to you in February of 2017. Some of this information (e.g., damages suffered by GEC as a result of Alpha's breach) has been superseded. I will send it priority mail when they get it to me.
2. We are collecting PDF copies of all electrical utility bills (WAPA) paid by GEC since the project was first occupied. As I explained, the arrangement of WAPA metering on the site results in microgrid power passing through the WAPA meters during the few days that the microgrid actually powered the site.
3. I attach Exhibit Q to GEC's memorandum regarding amendment to our counterclaim. This exhibit shows all of the days that Alpha attempted to power Annan's Hope with the microgrid. There have been sixteen attempts and sixteen failures.

As per our conversation, your experts believe that the inspection and any interviews or meetings necessary can be completed in a day, perhaps extending to noon the next day.

Regards,

Bruce Cole

From: Lavitt, Robert [mailto:robert.lavitt@argosurety.com]
Sent: Monday, October 01, 2018 1:33 PM
To: Warren Bruce Cole
Cc: John Wessel (jwessel@gecusvi.com); 'Jon Adams'; Lavitt, Robert; Frank Bigelis
Subject: RE: Alpha v. GEC

We have retained expert witnesses. Please advise regarding GEC's availability during the week of October 15 through 19, 2018.

Do you have a breakdown of the following data:

- Total electricity consumed by Anna's Hope;
- Total electricity produced by the solar array;
- Total electricity provided by the diesel generators; and
- Total electricity provided by the public grid?

Ideally we would like the above information from the inception of the solar array but at a minimum we would like to see the last several months. I inquired whether this information can be obtained from the GELI system and I was told that it would only be in that system if the data had been fed in.

Finally, I am advised that the flash drive you previously provided has several files which we are not able to open. I will send you a list of those files and request that you resend them to me. If they are too voluminous to email you can send another flash drive to my attention at:

5 Whitman Drive
Granby, CT 06035.

Thanks for your anticipated cooperation.

Robert Lavitt
Vice President, Director of Surety Claims

Argo Surety

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E robert.lavitt@argosurety.com



 **ARGO GROUP**
OFFICIAL INSURANCE PARTNER

 

From: Warren Bruce Cole <WBCOLE@huntercolevi.com>
Sent: Thursday, September 27, 2018 12:30 PM
To: Lavitt, Robert <robert.lavitt@argosurety.com>
Cc: John Wessel (jwessel@gecusvi.com) <jwessel@gecusvi.com>; 'Jon Adams' <jadams@gecusvi.com>
Subject: RE: Alpha v. GEC

Mr. Lavitt:

Could you please advise us regarding Argo's anticipated time frame in scheduling an examination of the microgrid? We want to make sure that we have all necessary people on island when this takes place.

Best regards,

Bruce Cole
Hunter & Cole

From: Lavitt, Robert [<mailto:robert.lavitt@argosurety.com>]
Sent: Tuesday, September 18, 2018 11:57 AM
To: Warren Bruce Cole
Cc: John Wessel (jwessel@gecusvi.com); 'Jon Adams'; Lavitt, Robert
Subject: RE: Alpha v. GEC

Thanks. I will furnish them to our expert as well. We will shortly be contacting you in regards to scheduling an examination of the facility by our expert.

Robert Lavitt
Vice President, Director of Surety Claims

Argo Surety

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From: Warren Bruce Cole <WBCOLE@huntercolevi.com>
Sent: Tuesday, September 18, 2018 11:51 AM
To: Lavitt, Robert <robert.lavitt@argosurety.com>
Cc: John Wessel (jwessel@gecusvi.com) <jwessel@gecusvi.com>; 'Jon Adams' <jadams@gecusvi.com>
Subject: RE: Alpha v. GEC

Mr. Lavitt:

Regarding our pending motion to assert additional claims against Alpha, I attach our Reply Brief, together with the Declaration in Support and Exhibits A-H to the declaration. I will send Exhibit I-R

in a second email (our system limits the number of attachments).

I respectfully suggest that the declaration and its exhibits are relevant to the merits of GEC's claim on the bond.

Best regards,

Bruce Cole

From: Warren Bruce Cole
Sent: Tuesday, August 21, 2018 1:50 PM
To: Lavitt, Robert
Cc: John Wessel (jwessel@gecusvi.com); 'Jon Adams'
Subject: Alpha v. GEC

Mr. Lavitt:

As promised earlier today, attached is GEC's motion to amend its Answer and Counterclaim.

Best regards,

Bruce Cole

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